IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8672 of 2003

Between:

Pitta Ramesh S/o. Ramaiah
R/o. 13-92, Pittawada,
Parakala, Warangal District.

..... PETITIONER

AND

The Assistant General Manager/Disciplinary Authority,
Region III, S.B.H.Zonal Office,
Warangal, Warangal District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction especially one in the nature of Writ of Mandamus declaring the proceedings issued in Letter No.R.III/Gr.1/123, dated 21.4.2003 as illegal, arbitrary and discriminatory and violative of Article 14, 16 and 21 of the Constitution of India by culminating the proceedings issued in No. Letter No. R.III/Gr.1/ dated 09.05.2003 as illegal, arbitrary and discriminatory, violative of Article 14 and 16 of the Constitution of India and further declare that Petitioner is entitled to be reinstated in to service.

Counsel for the Petitioner: MR.M.SURENDER RAO

Counsel for the Respondent: MR.ADDEPALLI SURYANARAYANA

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the proceedings issued by the respondent in Letter No.R.III/Gr.I/123, dated 21.4.2003 as illegal and arbitrary.

The impugned proceedings have been challenged on the ground that it is a Show Cause Notice. When the writ petition is pending, the respondent passed final order dated 9.5.2003 discharging the petitioner from service. Thereafter, the petitioner filed an application in W.P.M.P.No.29347 of 2003 to amend the prayer by challenging the final order, dated 9.5.2003, and that application was ordered by this Court on 10.11.2003. Admittedly, an appeal lies to the General Manager, State Bank of Hyderabad against the order, dated 9.5.2003 passed by the disciplinary authority.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the petitioner to file an appeal before the appellate authority, within one week from today and thereafter, the

appeal has to be disposed of by the appellate authority, within two months from the date of filing of the appeal. Since the petitioner is prosecuting the case in this Court, delay, if any caused in filing the appeal, has to be condoned by the appellate authority.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

20th June, 2005

bcj

To

1 The Assistant General Manager/Disciplinary Authority,
Region III, S.B.H.Zonal Office,
Warangal, Warangal District.

2 Two C.D. copies.

Note: Furnish copy by tomorrow.

b/o.

bcj